

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

X

UNITED STATES,

Plaintiff,

-against-

NOTICE OF MOTION

RAFAEL BARRIOS,

Docket No.:

07-CRIM-658

Defendants.

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DECLARATION OF LOUIS UREANA

COMES NOW ^{UREANA W}Declarant, Louis ~~Ureana~~ and, after having been duly sworn, does declare under oath the following to be true and correct:

1. I am ^{UREANA W}Louis ~~Ureana~~. I live at 4550 Noel Drive in Newfield, New Jersey.

2. On March 30, 2007, I was present on Prospect Avenue between 168th and 169th streets in the Bronx, New York with several other individuals when the police arrived, issued summonses and arrested Rafael Barrios. At that time, myself, Rafael Barrios, Marquis Trayham and another individual were standing in front of a dark car, not Rafael Barrios'

black Chrysler. The police approached us, gave out tickets for drinking alcohol in open containers, and arrested Rafael Barrios for a gun that was found underneath the dark car. The police did not ask me, or anyone else, about the Chrysler.

3. Later, the police returned to the area and towed away a black Chrysler that was parked on Prospect street. That vehicle was parked in a legal spot, some feet up from a bus stop.

4. The purpose of this declaration is to establish that we were not standing in front of nor asked about, the Chrysler that was legally parked on Prospect Street on March 30, 2007.

Louis Urena

URENA
LOUIS URENA W

The foregoing instrument was sworn to and subscribed before me on this 1 day of October, 2007 by Louis ^{URENA W}~~Urena~~ He is personally known to me or has produced NS Photo DL as identification.

Yvonne Kalla

NOTARY PUBLIC

YVONNE KALLA
NOTARY PUBLIC
STATE OF NEW JERSEY
MY COMMISSION EXPIRES MAY 10, 2012